



**GENERAL PRIVACY NOTICE  
REGARDING THE PROCESSING OF  
PERSONAL DATA BELONGING TO BT  
CUSTOMERS**

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## I. General provisions

Through this general privacy notice, Banca Transilvania S.A. - as a personal data controller - fulfills towards its Customers (also known as "Customers" or "BT Customers") - as defined in this notice - the obligation to inform them about the processing of their personal data in the context of the banking activity it performs, according to art. 13-14 of the EU Regulation no. 679/2016 or the General Regulation on data protection (hereinafter referred to as "GDPR").

This privacy notice has a general character. This notice contains references to specific privacy notices, which concern the processing of the Customers' personal data for certain, specific purposes. These specific notices are provided to BT Customers on other channels as well, usually at the time of when they request/contract a specific product or service of the bank.

Banca Transilvania S.A (hereinafter referred to as "the Bank", "BT" or "us") processes the personal data of the data subjects in good faith, in compliance with the legislation in force concerning the processing and protection of personal data: GDPR, Law 190/2018, regarding the application of the EU Regulation 2016/679, Law no. 506/2004 on the processing of personal data and the protection of privacy in the electronic communications sector, as well as other regulations, guides or codes of conduct, which are applicable to the bank or to which it adhered, while ensuring the technical security and data confidentiality.

The bank has designated a data protection officer (DPO) who can be contacted about any issues related to BT's processing of personal data, through any of the following channels:

- **by post, at the following address: Cluj-Napoca, str. Calea Dorobanților, nr. 30-36, Cluj County, with the mention "in the attention of the data protection officer" at**
- **by e-mail at the following e-mail address [dpo@btrl.ro](mailto:dpo@btrl.ro).**

## II. Definitions

The terms defined in this section will have this meaning when used in this privacy notice:

- a. **"BT Customer" or "Customer"**: any of the following categories of natural persons:
  - resident or non-resident individuals, holders of at least one account opened with the bank (also referred to as "**BT individual account holder**") or individuals who complete the dedicated forms to acquire this quality;
  - legal or conventional representatives of the BT individual/legal entities account holders, including BT customers that are authorized natural persons;
  - individuals authorized to perform operations on the accounts of BT individual/legal entities account holders;
  - the beneficial owners of BT individual/legal entities account holders;

- individuals with rights to submit bank documents, to pick up account statements and/or to make cash deposits on behalf of BT individual/legal entities account holders (also known as "delegates");
  - any other individuals who are users of a product/service of the bank, who are neither account holders, nor legal representatives, authorized individuals, delegates or beneficial owners, such as, but not limited to: users of additional cards, users of internet services/mobile banking, users of mobile payment applications offered by the bank, individuals with account manager's securities records opened with the bank, BT meal tickets users);
  - guarantors of any kind of the payment obligations assumed by the BT individual/ legal entities account holders;
  - persons who request the bank to open a contractual relationship and/or contracting a specific product/service of the bank, even if this request is rejected;
  - the legal or conventional successors of the aforementioned.
- b. **“Personal data”** means any information relating to an identified or identifiable natural person (“data subject”); an identifiable natural person is one who can be identified, directly or indirectly, in particular by reference to an identifier such as a name, an identification number, location data, an online identifier or to one or more factors specific to the physical, physiological, genetic, mental, economic, cultural or social identity of that natural person;
- c. **“Processing of personal data”** or **“data processing”** means any operation or set of operations which is performed on personal data or on sets of personal data, whether or not by automated means, such as collection, recording, organisation, structuring, storage, adaptation or alteration, retrieval, consultation, use, disclosure by transmission, dissemination or otherwise making available, alignment or combination, restriction, erasure or destruction;
- d. **“GDPR”** means the Regulation (EU) 2016/679 of the European Parliament and of the Council of 27 April 2016 on natural persons with regard to the processing of personal data and on the free movement of such data, and repealing Directive 95/46/EC (General Data Protection Regulation);
- e. **“BT Financial Group”**- means the Bank together with the entities controlled by it, such as [BT Microfinanțare IFN SA \(„BT Mic”\)](#), [BT Asset Management S.A.I. S.A., \(„BTAM”\)](#), [BT Leasing Transilvania IFN S.A. \(„BTL”\)](#), [BT Direct IFN S.A. \(„BTD”\)](#), [BT Capital Partners S.S.I.F. S.A.\(„BTCP”\)](#), Fundația Clubul Întreprinzătorului Român, Fundația Clujul are Suflet and other entities that may join the Group in the future;
- f. **“Controller”** means the legal person, who, alone or jointly with others, determines the purposes and means of the processing of personal data;
- g. **“Data subjects”** means any natural person whose personal data is processed;
- h. **“Recipient”** means a natural or legal person, public authority, agency or another body, to which the personal data are disclosed, whether a third party or not.
- i. **“Third party”** means a natural or legal person, public authority, agency or body other than the Data Subject, Controller, Processor and persons who, under the direct authority of the controller or processor, are authorised to process personal data;

- j. **“Supervisory authority”** means a public independent supervisory authority which is established by a Member State, responsible with the monitoring of GDPR application. In Romania the national supervisory authority for the personal data processing is “ANSPDCP”;
- k. **“Biometric data”** means personal data resulting from specific technical processing relating to the physical, physiological or behavioural characteristics of a natural person, which allow or confirm the unique identification of that natural person, such as facial images or dactyloscopic data;
- l. **“Data concerning health”** means personal data related to the physical or mental health of a natural person, including the provision of health care services, which reveal information about his or her health status;
- m. **“Signature Sample”** represents the copy of the handwritten signature of the Customer written on documents used in his relationship with the bank and / or the signature of the Customer captured by Electronic Device (SignaturePad), made available to the Bank as a signature specimen;
- n. **“Beneficial owner”** according to the provisions of art. 4 paragraph 1 of Law no. 129/2019 on the Prevention of Money Laundering and Terrorism Financing, and the subsequent amends brought to certain normative acts, is considered any natural person who ultimately owns or controls the client and / or the natural person on whose behalf is performed a transaction, operation or activity and includes at least the categories of natural persons mentioned in art. 4 paragraph 2 of this normative act;
- o. **“Publicly Exposed Person”** according to the provisions of art. 3 paragraph 1 of Law no. 129/2019 on the Prevention of Money Laundering and Terrorism Financing, and the subsequent amends brought to certain normative acts, is considered any natural person who exercises or exercised important public position and includes at least the categories of natural persons mentioned in art. 3, paragraph 2 of the herein document.

### III. The controller of the personal data

**Banca Transilvania S.A.** is a credit institution, Romanian legal entity, registered at the Trade Register Cluj under no. J12/4155/1993, Tax Identification Number RO5022670 and is identified with the following elements: address: No. 30-36 Calea Dorobanților Street, zip code 400117, Cluj-Napoca, Cluj County, Romania, Phone: 0801 010128(BT)–reachable from Romtelecom network, +40 (0)264 30 8028 (BT) – reachable from any network, including internationally, \*8028 (BT) – reachable from Vodafone and Orange networks, e-mail: [contact@bancatransilvania.ro](mailto:contact@bancatransilvania.ro), website [www.bancatransilvania.ro](http://www.bancatransilvania.ro), which processes, as controller, personal data as detailed below:

### IV. The purposes of processing personal data belonging BT’s customers

Banca Transilvania processes its customers’ personal data, as the case may be, for the following purposes:

- verifying the identity of individuals, in order to prevent money laundering and terrorism financing, as well as to confirm their quality as BT customers;

The identity verification is performed when establishing and during the performance of a business relationship, when ordering any transaction, when requesting certain information or when carrying out operations such as, but not limited to: information about bank accounts, submission/transmission of any requests/notifications, handing out debit/credit cards, tokens, expressing options, contracting products/services of the bank, accessing some services of the bank already contracted, but also during the telephone calls initiated by the Customers or by the bank.

In the units of the bank, the identity is verified based on the valid identity documents, which must be presented in original, whereas for the online and the telephone calls initiated by the client or by the bank, the verification is performed by requesting to supply and by validation of the information already registered in the records of the bank in relation to that customer.

- applying the know your customer (KYC) rules in order to prevent money laundering and financing of terrorism, including risk-based verification. Applying the KYC rules involves both verification of identity and processing of personal data required by law, when becoming a customer (data collection), for the entire time this quality is maintained (updating the data), as well as thereafter, for the period of time legally established after the termination of the business relationship (data storage and processing for the purposes permitted by law);
  - For details on the processing of personal data for **KYC** purpose, please visit the following link:  
<https://www.bancatransilvania.ro/Nota-de-informare-privind-prelucrarea-datelor-cu-caracter-personal-in-scop-KYC.pdf>
- assessing the solvency, reducing the credit risk, determining the degree of indebtedness of the Customers interested in personalized offers in relation to the bank's credit products or in contracting these types of products (credit risk analysis);
  - For details on the processing of personal data for the purpose of **analyzing a loan request submitted to Banca Transilvania S.A.**, please visit the following link:  
<https://www.bancatransilvania.ro/Nota-de-informare-privind-prelucrarea-datelor-cu-caracter-personal-in-scop-analiza-cerere-credit-BT.pdf>
- the conclusion and performance of contracts between the bank and the Customers, related to products and services offered by BT in its own behalf (such as, but not limited to: debit/credit cards, deposits, credits, internet and mobile banking, SMS Alert);
  - For details regarding the processing of personal data **upon the execution and during the performance of a loan agreement (card or non-card) concluded with the Banca Transilvania S.A.** please visit the following link:

<https://www.bancatransilvania.ro/Nota-de-informare-privind-prelucrarea-datelor-cu-caracter-personal-in-contextul-incheierii-executarii-unui-contract-de-credit-BT.pdf>

- For details regarding the processing of personal data within the **BT Pay** mobile application, visit the following link:  
<https://www.bancatransilvania.ro/wallet-bt-pay/politica-de-confidentialitate-ro/>
  - For details regarding the processing of personal data within **the Self Service Livia from BT**, please access the following link:  
[https://www.bancatransilvania.ro/files/self-service-livia-de-la-bt/nota\\_informare\\_prelucrare\\_date\\_caracter\\_personal\\_serviciu\\_livia\\_de\\_la\\_bt.pdf](https://www.bancatransilvania.ro/files/self-service-livia-de-la-bt/nota_informare_prelucrare_date_caracter_personal_serviciu_livia_de_la_bt.pdf)
  - For details regarding the processing of personal data within the **BT Visual Help** service, please access the following link:  
<https://www.bancatransilvania.ro/Nota-de-informare-privind-prelucrarea-datelor-cu-caracter-personal-in-cadrul-BT-VISUAL-HELP.pdf>
- the conclusion and performance of contracts related to occasional transactions, such as but not limited to: deposits of cash amounts made by Customers at the counters or by using devices from the bank's units, if the amounts are deposited in bank accounts on which the respective Customer does not have operating rights (they do not have the quality of account holder, authorized individual, delegate on those accounts), money transfer services, foreign currency exchanges;
- For details on the processing of personal data for the purpose of **cash depositing**, please visit the following link:  
<https://www.bancatransilvania.ro/Nota-de-informare-privind-prelucrarea-datelor-cu-caracter-personal-depunere-sume-in-numerar-clienti-ocazionali-BT.pdf>
- settlement of the banking transactions;
- establishing the seizures on BT bank accounts, recording the amounts seized to the creditors and providing answers to the enforcement bodies and/or the competent authorities, according to the legal obligations of the bank;
- monitoring the security of individuals, premises and/or assets of the bank or of the visitors of its units;
- Details about data processing through video surveillance means can be found here:  
<https://www.bancatransilvania.ro/supraveghere-video/>
  - Details about the processing of visitors data for access in some BT units can be found here:  
<http://www.bancatransilvania.ro/monitorizare.pdf>
- the preparation and submission of reports to the competent authorities, authorized to receive them in accordance with the legal provisions governing BT's activity (e.g. payment incident reports to the Office of Payment Incidents within the National Bank of Romania-NBR, declaring the transactions that exceed the amount established by the National Office for Prevention and Control of Money Laundering);
- performing analyzes and the keeping of records for the Bank's economic, financial and/or administrative management;

- management within the internal departments of the services and products provided by the Bank;
- assessing and monitoring the financial-commercial behavior during the performance of the business relationship with the bank, in order to detect the unusual and suspicious transactions, according to the KYC legal obligations the bank is subject to, in order to prevent money laundering and financing of terrorism;
- debit collection and recovery of receivables registered by the Customers;
- preventing the gaining or regaining of the “Customer” quality, by persons having an inappropriate behavior, which is likely to prevent the performance of a prudent banking activity, according to the legal obligations that the bank has;
- defending the bank's rights and interests in court, the resolution of disputes, investigations or any other petitions/ complaints/requests in which the bank is involved;
- performing risk controls on the bank's procedures and processes, as well as carrying out audit or investigation activities;
- taking measures/providing information or answers to the requests/claims/complaints of any nature addressed to the bank by any person or by legal authorities or institutions, including electronic communication and internet requests.
- providing evidence for the requests / agreements / options regarding certain aspects requested / discussed / agreed upon via the telephone calls initiated by the Customers or by the bank, by taking notes of the discussed issues and, as the case may be, by audio or video recordings of the telephone calls or the video calls;
- informing the Customers in regard to products/services contracted by them at BT, for the proper execution of the bank agreements (including, but without limiting to: bank account or debit/credit card statements, information regarding the working hours of the BT bank units, data regarding garnishments on BT bank accounts, notifications for unauthorized debits or overdue payments of installments, information about the approach of ending a particular product/service held, information about improvements or new facilities offered in relation to the product/service held) ;
- sending marketing messages, if the Customers have consented to receive such messages on the forms available in the bank's units, on its web page or within certain online services;
- collecting the opinions of the Customers regarding the quality of the services / products / employees of BT (assessment of the services' quality);
- the Customers' financial education;
- conducting internal analyses (statistics included) both with regard to products/services and the client profile and portfolio, for an ongoing improvement of the products/services, as well as market researches, market analysis, Customer satisfaction analysis for the Bank's products/services/employees;
- archiving - both in physical and electronic format - of the documents, including backup copies;
- the performance of registration and secretary services regarding the correspondence addressed to the bank and/or sent by it, as well as for carrying out courier activities;
- ensuring the security of the IT systems used by BT and of the premises in which the bank operates its activity;
- preventing frauds;



- calculation of the fees to which certain categories of bank employees are entitled to.

## **V. Categories of personal data belonging to BT Customers**

- identity details: name, surname, alias (if applicable), date and place of birth, national identification number (romanian “cod numeric personal”- CNP) or another unique similar identification element, such as romanian CUI for natural authorized person (romanian “PFA”) or romanian CIF for natural persons pursuing liberal professions (e.g. another unique identification element is allocated by the bank to the Customers who are non-residents and this is represented by a code consisting of a sequence of figures referring to the year, month, day of birth and the number of the identity document, in whole or truncated), serial number of the national or international document/passport (ID document), as well as a copy the ID document, domicile and residence address;
- contact details - correspondence address (if applicable), telephone number, fax number, e-mail address;
- citizenship;
- information about the purpose and the nature of the business relationship;
- financial data (such as, without being limited to: transactions, including about the amount of expected transactions);
- fiscal data (country of fiscal residence);
- profession, job, name of employer or nature of the individual activity (if applicable),
- information about the important public position held - if applicable - and the political opinions (exclusively in the context of obtaining information related to the quality of the publicly exposed persons- PEP);
- the quality, the social parts/shares and, as the case may be, the powers of attorney held within certain legal entities;
- information on the family status (including marital status, number of children, number of dependents),
- information on the economic and financial status (including data on income, data on banking transactions and their history, data on owned assets, as well as data on the payment behavior);
- the image (contained in the identity documents or caught by the video surveillance cameras installed in the bank's units, on the BT equipment, as well as in certain audio video recordings, as the case may be);
- the voice, within the calls and recordings of the audio or video calls (initiated by the Customers or the bank);
- age, to verify the eligibility to contract certain products/services/offers of the bank (e.g. credit products, products dedicated to under-age individuals, etc.);
- Customer opinions, expressed through notices/complaints or during conversations, including telephone, regarding products/services/employees of the bank;
- signature (including within signature samples);

- biometric data (such as, but not limited to the situation of illiterate or visually impaired persons, to whom the fingerprint can be processed);
- identifiers, including identifiers allocated by Banca Transilvania or other financial-banking or non-banking institutions, necessary for the provision of services, such as, but not being limited to, the BT client code (CIF BT), IBAN codes attached to the bank accounts, the numbers of the credit card debit/credit, the card expiry date, the contract numbers, the codes and type of operating system of mobile phones or other devices used to access mobile banking/mobile payment applications, as well as the IP address of the device used to access these services. The codes of the mobile phones, the type of the operating system and the IP addresses are processed exclusively to ensure the security measures for the transactions performed through these services, in order to prevent fraud;
- data regarding the health status, only if the processing of such data is necessary for the Customers to prove the difficult situation in which they or the members of their families are, in order to provide facilities or in the context of providing/ performing the insurance products/services intermediated by the bank;
- for credit products - the type of product, the granting term, the granting date, the maturity date, the granted amounts and credits, the amounts due, the status of the account, the date of closing the account, the currency of the credit, the frequency of payments, the amount paid, the monthly rate, the name and the address of the employer, the amounts owed, the outstanding amounts, the number of outstanding installments, the due date of the outstanding, the number of overdue days in the repayment of the loan. These data are processed both in the bank's own records, and - as the case may be - in the system of the Credit Bureau and / or other records / systems of this type;
- information regarding fraudulent / potentially fraudulent activity, consisting of data regarding accusations and convictions related to crimes such as fraud, money laundering and financing of terrorist acts;
- information related to crimes and offences committed in the financial-banking sector, in the direct relation with Banca Transilvania S.A., backed by final and irrevocable court decisions, as applicable, or by uncontested administrative deeds;
- information regarding the location of certain transactions (implicitly, in case of operations at the ATMs or POS belonging to the Banca Transilvania);
- data and information related to the products and services offered by the bank or its collaborators, which the data subjects use (such as, but not limited to, credit, deposit, insurance products);
- any other personal data belonging to the Customers, which are made known to the bank in various contexts by other Customers or by any other persons.

## VI. Personal data sources

Usually, the personal data belonging to its Customers, which BT processes, are collected directly from them.

However, there are situations when the data are collected from other sources, such as:

- from other BT Customers- individual or legal entities account holders- in situations such as, but not limited to: authorizing other Customers on their accounts opened with the bank, contracting some products/services of the bank by one Customer on behalf of another Customer who authorized him/her on this regard, contracting by the employers who are legal entities BT Customers of some products / services of the bank for/on behalf of their employees (e.g. meal vouchers, benefits for collecting the salary income in the accounts opened with BT, guarantee accounts management etc);
- from the payers - individuals or legal entities, whether or not they are BT Customers - if they transfer/deposit amounts in the accounts opened with BT of the Customers- account holders;
- from public authorities or institutions (e.g. courts of law, prosecutors, bailiffs - judicial executors, National Bank of Romania, ANPC, ANSPDCP, etc.), notaries, lawyers in the context in which they send to the Bank notices or requests regarding the Customers;
- from/through Transfond, SWIFT, international payment organizations, etc;
- from credit institutions with which Banca Transilvania S.A. merged (Volksbank Romania S.A. and Bancpost S.A.);
- from partner and correspondent banks, from banks or financial institutions participating in syndicated loans;
- from international payment organisations;
- from public sources, without being limited to: Trade Registry Office, National Register of Mobile Advertising, Cadastre and Real Estate Office, online portal of romanian courts, Official Gazette, social media, internet, etc;
- from records such as the Credit Bureau, the Credit Risk Register, if there is a legal basis and a determined and legitimate purpose for consulting them;
- from private database providers- e.g. entities empowered to administer databases with persons which is accused for financing terrorist acts and the publicly exposed ones;
- from entities in the BT Financial Group, for their use for certain and legitimate purposes;
- from the contractual partners of the bank in various fields;
- from debt collection/debt recovery companies (e.g. the Bank can find out the new contact details of the Customers from companies that support the bank in the activity of debt collection, data that, the latter obtain based on their own interactions with the Customers or with persons close to them);
- from real estate appraisal companies;
- from insurance companies;
- from management companies of pension and investment funds;

- from any other individuals or legal entities who send us notices/requests containing Customers' data (e.g. persons notifying us that you no longer have the same contact details as those stated in the bank's records).

## **VII. Other categories of data subjects whose personal data are processed in the context of the contractual relationship that BT has with its Customers**

Within the banking activity, the bank mainly processes personal data belonging to its Customers, as defined in section II, letter. a of this General Privacy Notice.

However, it is possible that the bank may also end up processing, in the context of the contractual relationship with these Customers, personal data belonging to other categories of data subjects, usually if these data are made available to the bank by the Customers.

Depending on the specific situation, BT might process the data of the following categories of individuals:

- members of a BT Customer's family** - it is possible that in certain situations the BT Customers may bring to our attention data related to members of their family, especially in the context of formulating and analyzing a credit application or during the performance of a credit agreement;
- non-Customer payers:** individuals who are Customers of other institutions that provide payment services and who order transfers to the Customers' accounts opened with BT (interbank transfers ordered by Customers of other payment institutions to BT account holders) - it is necessary to process the data of these data subjects to provide the payment services and to fulfill our legal obligations;
- non-Customer beneficiaries of payments:** individuals who are Customers of other payment service institutions, to the accounts of which BT Customers order transfers (interbank transfers ordered by BT Customers towards Customers of other payment services institutions) - it is necessary to process the data of this category of individuals to provide the payment services and to fulfill our legal obligations;
- individuals mentioned in the payment details/explanations from a payment order submitted/transmitted/received at BT** - filling in the fields related to the explanations/details of a payment is mandatory, according to the legal provisions in the field of preventing money laundering and terrorism financing. According to the principle of data minimisation, the Customers should insert personal data into these fields only when it is absolutely necessary and respectively only data that are strictly necessary;
- representatives and/or employees of legal entities who have accounts opened with the bank, who are signatories or contact persons** acting on behalf of that certain legal entity within the agreements concluded between the legal entity and the bank;
- authorized persons** (other than the ones who are usually authorized to initiate transactions on the accounts of the BT individual/legal entities account holders) to

initiate on behalf of a BT Customer specific operations – banking or non-banking ones- through the channels offered by BT (e.g. telephone payment instructions);

- g. **individuals whose data are mentioned on various documents made available to the bank** - if BT Customers submit/send to the bank different documents, in different situations (e.g. certificates or documents of any kind containing personal data of the signatories or, as the case may be, of other persons mentioned in the records) the bank will process these data, given the need to keep these records, even if it may not need to process them in another way;
- h. **persons connected with a BT loan applicant's group** - if a natural or legal person submits a loan application to the bank, we will need to collect certain data belonging to other categories of data subjects, as it is necessary for compliance with a legal obligation that the bank has. In such cases the loan applicant may need to provide to the bank (or, as the case may be, the bank may obtain from the bank's records or from public sources) data of certain individuals or of the representatives/associates of some legal entities with whom the credit applicant is in connection with (connected clients). These persons are usually, but not limited to: the spouse / life partner, legal representatives / associates / shareholders of some legal entities with whom the credit applicant is connected. In this context, the bank will need to process, usually, the first and last name, the national identification number (romanian “cod numeric personal”-CNP) and, as the case may be, the quality and holdings of these categories of data subjects within the legal entity that is part of the credit applicant’s group;
- i. **any other category of individuals** whose personal data are made available to the bank by BT customers, in connection to the bank’s relationship with these customers.

Whenever the bank has an objective possibility directly inform these data subjects regarding the processing of their data, it will fulfill this obligation. In some cases, however, there is either no objective possibility, or it would involve a disproportionate effort for the bank to fulfill this obligation directly towards these individuals. That is why BT will display on its website - [www.bancatransilvania.ro](http://www.bancatransilvania.ro)- within the BT’s Privacy Policy, information dedicated to all categories of individuals whose data are processed within the banking activity.

In order for the bank to be able to process the personal data with the transparency required by law, any Customer providing to the bank, in any context, personal data belonging to other categories of individuals is bound to inform these individuals in regard to the disclosure of their personal data to BT, prior to the moment when the data are disclosed to the bank, whenever the Customers can objectively do so.

## VIII. Legal grounds on which BT processes personal data

The legal basis on which BT relies upon to process personal data are, as appropriate:

- the processing is necessary for the performance of a task carried out in the public interest;
- processing is necessary for compliance with a legal obligation to which the bank is subject;

- processing is necessary for the performance of a contract to which the data subject is party or in order to take steps at the request of the data subject prior to entering into a contract;
- the legitimate interest of the bank and/or third parties;
- the data subject's consent.

Where the processing of certain personal data is necessary for the performance of a task carried out in the public interest, such as when the bank must apply the know your customer (KYC) rules for anti-money laundering and prevention of terrorist financing, in case the customer omits or refuses to provide/update its personal data in the bank's records, the bank is entitled to update these data on its own initiative, based on the information obtained from other trustworthy sources, or directly from the customer, if the latter supplied such data to be used for other purposes (e.g.: if a customer did not provide to the bank an e-mail address within the KYC process, but supplies an e-mail address in order to be used by the bank for marketing purposes, the bank will use the abovementioned e-mail address of the customer for the performance of the contractual relationship).

## **IX. Consequences of failure to provide the personal data requested by the bank**

Refusal of the customers or potential customers to provide personal data that the bank needs to process for the performance of a task carried out in the public interest, personal data that are necessary to comply with a legal obligation that the bank is subject to or personal data that are necessary for the performance of a contract to which the customer is party or in order to take steps at the request of the customer prior to entering into a contract with the bank, may lead to the impossibility, as the case may be, to establish a business relationship or it will lead to its termination. The refusal may also lead to the impossibility to contract or use products/services of the bank or it shall prevent the individuals to be designated authorized persons on the bank accounts opened with BT.

If the customers refuse to provide the necessary personal data for the proper verification of their identity in the context of addressed requests/notifications/complaints, this refusal may lead to the impossibility - as the case may be- to analyze the request/complaint or to provide the answer in the manner/on the channel requested by the customer.

In those cases where the data are processed by BT on the basis of legitimate interests, the customers' refusal to have them processed will have different consequences, depending on the specific situation, respectively depending on the legitimate interests pursued by the bank and the reasons related to the particular situation of the data subject who refuses the processing of his/her personal data.

Regarding the personal data processed by the bank for marketing purposes, expressing consent for this processing is optional. The customers' refusal to have their data processed for marketing purposes will, in no way, prevent them from contracting the bank's products/services from the current offer. However, the customers' refusal to have their data processed for marketing purposes may lead to the bank's inability to notify them of certain offers / promotions, including the impossibility to include these customers in certain promotional campaigns organized by the bank for certain products / services, by the entities from the BT Financial Group and/or by their partners.

## **X. Automated decision-making, including profiling**

In some circumstances, only in respect with the provisions of the GDPR, BT may use in its banking activity automated decision-making processes, including profiling. These are decisions (which produce legal effects concerning the customer or similarly significantly affects the customer) taken by the bank, as the case may be, with or without the intervention of a human factor.

Such situations, presented by way of example, are the following:

- for the application of the know you Customer measures in order to prevent and combat the money laundering and terrorist financing, verifications will be carried out in the databases, for the persons suspected of financing the acts of terrorism or, as the case may be, for the persons with a high risk of fraud; if the Customers are included in these records, the bank reserves the right to refuse to enter into a business relationship with them or to terminate the contractual relationship;
- to protect BT Customers and BT walk-in Clients against fraud, as well as for the bank to properly fulfil its know your Customer obligations, it monitors their transactions and, if it identifies suspicious transactions (such as unusual payments as frequency, value, reported to the source of funds declared by the account holders Customers or the purpose and nature of the business relationship, transactions initiated from different cities located at short time intervals, which did not allow the travelling between those cities), consequently takes the measures to block the transactions, accounts, cards, taking these decisions exclusively on automatic means;
- according to the applicable legal provisions, the granting of the credit products is conditioned by the existence of a certain degree of indebtedness of the applicants. The eligibility to contract a credit product taking into account the degree of indebtedness will be determined based on automatic criteria, based on the level of income and expenditure recorded by the applicant;
- in order to objectively verify the fulfillment of the eligibility conditions for the pre-offer and, as the case may be, in order to analyze a credit application formulated by an applicant- individual or legal entity to BT, in most cases, a scoring application of the bank will be used, which will analyze the data from the credit application, the information resulting from the verifications carried out in the bank's own records and/or those of the Credit Bureau S.A. and will issue a score that determines the credit risk and the probability of paying the instalments in time. The result of other verifications of the applicant's status,

will be added to the issued score, which will be analyzed by the bank's employees, to determine if the eligibility conditions established by the internal regulations, are met. The final decision to approve or reject the credit application is based on the analysis performed by the Bank's employees (human intervention);

- if the BT Customers have consented, on the dedicated form, for their personal data to be processed for marketing purposes for receiving personalized messages, we shall use a profile based on different criteria, such as, but without being limited to the Customers' data on transactions, age, location, income range, which we will automatically study, to establish what products/services/events would be more suitable for those Customers. In some cases, based on this profile some marketing messages will only be sent to Customers who meet the criteria of the profile and in other cases this profile will determine that only the persons who fulfill the criteria of the profile will be able to contract/benefit from certain promotional offers.

## **XI. The recipients of the personal data processed by the bank**

The personal data belonging to the bank's customers and, as applicable, of other data subjects previously mentioned, are disclosed or, as applicable, transferred, in accordance with the applicable legal provisions, depending on the situation, and only under strict confidentiality and security conditions, to categories of recipients such as, but not limited to:

- other Customers who have the right and need to know them;
- entities within the BT Financial Group;
- assignees;
- contractual partners (service providers) who assist the bank in its banking activity, such as, but not limited to: service providers used by the Bank for: IT services (maintenance, software development), hard-copy or electronic archiving, courier services, audit services related to card issuing and enrollment; market research, advertising, monitoring of traffic and behavior of the users of online tools, marketing services via social media, etc.;
- companies that process inter-bank payments and transmit information on inter-bank transactions (eg: Transfond S.A., Society for Worldwide Interbank Financial Telecommunication- SWIFT);
- partners of the bank from various fields, whose products/services/ events can be promoted to BT Customers who have expressed their consent. The updated list of the bank's partners can be found at the following web address <https://www.bancatransilvania.ro/parteneri>
- international payment organisations (e.g. Visa, Mastercard);
- payments processors;
- financial-banking entities participating in the payment schemes/systems and inter-banking communications channels such as SWIFT, SEPA, ReGIS, financial-banking institutions to which we confirm or request confirmation of signatures and/or certain information that can be found in the bank reference letters, bank guarantee letters, other addresses issued by the Bank's Customers in favour of their business partners, other entities (such as banks or financial institutions) for assignment operations or restructuring of debt portfolios and/or other rights of the Bank born on the basis of the contractual relationships with the Customers;
- partner banks and correspondent banks, banks or financial institutions participating in syndicated loans;



- public authorities and institutions, such as, but not limited to, the National Bank of Romania (NBR), the National Agency for Fiscal Administration (ANAF) \*, the Ministry of Justice, the Ministry of Internal Affairs, the National Office for the Prevention and Combating of Money Laundering (ONPCSB ) \*\*, the National Agency for Cadastre and Real Estate Advertising (ANCPI), the National Register of Mobile Advertising (RNPM), the Financial Supervisory Authority (ASF), including, as the case may be, their territorial units;
- guarantee companies (funds) for different lending/deposit products (e.g. FNGCIMM, FGDB, etc.);
- public notaries, lawyers, bailiffs (judicial executors);
- the Credit Risk Register\*\*\*;
- The Credit Bureau and the participants to the Credit Bureau system\*\*\*\*;
- insurance companies;
- real estate appraisal companies;
- companies collecting outstanding debts or receivables;
- companies of pension and investment funds;
- entities to which the bank has outsourced the provision of financial-banking services;
- banking institutions or government authorities, including outside the European Economic Area - for SWIFT international transfers or as a result of the processing activities for the purpose of observing the FATCA and CRS legislation
- providers of social media;

\*In accordance with the provisions laid down in the Fiscal Code (Law No. 207/2015), in its capacity of credit institution, BT is legally bound to report to the central fiscal body - A.N.A.F. - the list of account holders - individuals, legal entities or any other entities without legal personality - that open or close accounts, as well as the identification details of the persons that are authorized to operate on these accounts, the list of persons that rent safe deposit boxes, as well as the termination of the rental agreement. A.N.A.F can transmit these data to the local fiscal bodies and to other central/local public authorities, according to the legal provisions.

\*\*If the conditions for the transmission by BT of personal data to the National Office for Prevention and Control of Money Laundering are met, pursuant to Law No. 129/2019 on the prevention and sanctioning of money laundering and on setting up of certain measures for the prevention and combating terrorism financing, as republished and subsequently amended, such personal data are simultaneously sent, in the same format, to A.N.A.F., as well.

\*\*\*The Bank is legally bound to report to Credit Risk Register (CRC) the credit risk information related to each debtor that meets the reporting conditions (including the debtor's identification details -individual or non-banking legal entity- and the RON and FCY operations through which the Bank is exposed to risk in relation to such debtor), and in relation to whom the Bank has an individual risk, respectively, as well as details regarding acknowledged card frauds.

\*\*\*\*the Bank justifies a legitimate interest to report in the Credit Bureau system - to which other Participants have access as well (mainly credit institutions and non-banking financial institutions)- personal data of debtors in case of payment defaults above 30 days, subject to the prior notification of the data subjects in this respect at least 15 days before the reporting date.

## **XII. Transfers of personal data to third party countries/international organisations**

Only if it's necessary for the fulfillment of the purposes of the agreements concluded with the BT Customers, and only in specific situations or on the basis of adequate guarantees, the Bank shall transfer personal data abroad, as applicable, including to countries that do not provide an adequate level of protection of such data. The countries that do not ensure an adequate level of protection are countries outside the European Union/European Economic Area, except for the countries for which the European Commission has recognized an adequate level of protection, such as: Andorra, Argentina, Canada (only companies), Switzerland, the Faroe Islands, Guernsey, Israel, the Isle of Man, Jersey, New Zealand, Uruguay, Japan, USA - only within the protection granted by the Privacy Shield US-EU (unless a contrary decision of issued for any of these countries).

If BT Customers or BT walk-in clients order banking transactions for which the recipients of the payments are located in states that do not provide an adequate level of personal data's protection, the transfer of data to those states is based on the provisions of the General Data Protection Regulation regarding: the transfer is necessary for the performance of a contract between the Customer and the bank or the implementation of pre-contractual measures taken at the Customer's request or, as the case may be, the transfer is necessary for the conclusion or performance of a contract concluded in the interest of the data subject.

If it is necessary to transfer personal data to third party countries or international organizations in other circumstances, the bank will only do so if appropriate safeguards are provided for these transfers.

## **XIII. Estimated period of time for which personal data belonging to BT Customers will be processed**

Personal data processed by the bank **for the purpose of know your customer to prevent money laundering and terrorist financing**, including data on transactions carried out through accounts opened with the bank, will be kept by the bank for **at least 5 years after the termination of the business relationship with the Customer - natural or legal entity account holder**, according to the legal retention period established through laws applicable to the bank. Also, **if the business relationship is not established**, the data contained in the application will be stored at BT level for at least **5 years from the date of the bank's refusal to establish that respective contractual relationship**.

The personal data filled out in the **loan application** are stored in BT's records for a period of **3 years as of the signing of the loan application, if the application is rejected** and, for a period of **5 years as of the termination of the business relationship, if a loan agreement is concluded following the approval of the loan request.**

With regard to the **data processed within BT's activity in the system of the Credit Bureau**, such data are stored by this institution and disclosed to the Participants for a period of **4 years as of their last updating date**, except for the data of **the loan applicants who have given up the loan request or the loan request of whom has been rejected, cases in which the data are stored and disclosed to the Participants for a period of 6 months.**

The personal data that BT is legally bound to report to the **Credit Risk Register (CRC)** shall **be kept in CRC's records for a period of 7 years as of the loan recording date in CRC.**

Personal data processed based on the consent of the data subjects to receiving marketing messages, shall be processed until the termination of their business/contractual relationship with the Bank or, as applicable, until the withdrawal of the said consent.

As evidence of the fact that **requests/claims/complaints** have been received and replied to, the received messages shall be kept within BT's records (both in hard-copy and electronically, **during the period of the business relationship for BT customers, and for the period necessary for the fulfillment of the purpose for which they have been processed (preparing the reply/providing the information), plus an additional period of 3 years - the legal prescription period - if the data do not belong to persons with whom the Bank has an established business relationship.**

The retention period for the **data collected through the video surveillance system** is proportional with the purpose for which the data are processed, and it **does not exceed 30 days**. After this period, the recordings are automatically deleted, in the order of their recording. In case of a security incident (including a personal data breach), the retention period of the relevant recorded material can exceed the standard time limits, depending on the period of time necessary for the additional investigation of the security incident.

Any other personal data processed by BT for other indicated purposes shall be stored for the period of time necessary in relation to the purposes for which they were collected, to which non-excessive terms may add up, as established through the applicable legislation, including without limitation, the legal provisions in the field of archiving.

#### **XIV. Rights of BT customers in regard to the processing of their personal data by the bank**

Any data subject can exercise any of his/her rights in the GDPR, regarding the processing of personal data, respectively:

**a) right of access by the data subject:** The data subject shall have the right to obtain from BT confirmation as to whether or not personal data concerning him or her are being processed, and, where that is the case **information regarding: the purpose of the processing, the categories of personal data concerned, the recipients of these data, the period for which the personal data will be stored, the existence of the right of rectification, deletion or restriction of the processing.** This right allows the data subjects to obtain for free one copy of the personal data processed, as well as, by paying a fee, any additional copies.

**b) right to rectification:** the data subjects shall have the right to obtain from BT the rectification of inaccurate or incomplete personal data concerning them;

**c) right to erasure ('right to be forgotten'):** the data subjects shall have the right to obtain from BT the erasure of personal data concerning them whenever:

- the personal data are no longer necessary in relation to the purposes for which they were collected or otherwise processed;
- the data subject withdraws consent on which the processing is based and there is no other legal ground that BT has for the processing;
- the personal data have been unlawfully processed;
- the personal data have to be erased for compliance with a legal obligation to which BT is subject;

**d) withdrawal of consent:** the data subject shall have the right to withdraw his or her consent at any time. The withdrawal of consent shall not affect the lawfulness of processing based on consent before its withdrawal.

**e) right to object** - the data subjects can, at any time, object to the processing of their personal data for marketing purposes, as well as to the processing based on BT's legitimate interest, for reasons related to their specific situation;

**f) right to restriction of processing:** The data subjects shall have the right to obtain from BT restriction of processing where one of the following applies:

- the accuracy of the personal data is contested by the data subject, for a period enabling the controller to verify the accuracy of the personal data;
- the processing is unlawful and the data subject opposes the erasure of the personal data and requests the restriction of their use instead;
- BT no longer needs the personal data for the purposes of the processing, but they are required by the data subject for the establishment, exercise or defence of legal claims;
- the data subject has objected to processing, pending the verification whether the legitimate grounds of BT override those of the data subject;

**g) right to data portability:** the data subjects may request, according to provisions of the law, to receive from BT the personal data concerning them, in a structured, commonly used and machine-readable format and to request the transmission of those data to another controller if this is technically feasible.

**h) right to file a complaint with the National Supervisory Authority for Personal Data Processing:** the data subjects have the right to file a complaint with the National Supervisory Authority for Personal Data Processing if they consider that their rights have been violated: National Supervisory Authority for Personal Data Processing- B-dul G-ral. Gheorghe Magheru 28-30, Sector 1, postal code 010336 București, România [anspdcp@dataprotection.ro](mailto:anspdcp@dataprotection.ro).

For exercising the rights mentioned in points a) - g) above, or for any questions about the processing of personal data conducted by BT, the data subjects can use the contact details of the data protection officer designated by BT, by sending the request:

- **by mail, at the following address: Cluj-Napoca, str. Calea Dorobanților, no. 30-36, Cluj County, with the mention "in the attention of the data protection officer"**
- **at the following email address [dpo@btrl.ro](mailto:dpo@btrl.ro).**

Details regarding the processing of personal data in the context of BT's banking activity, can ***also be found*** in the **Policy of the Banca Transilvania S.A. regarding the processing and protection of personal data within the banking activity (BT Privacy Policy)**, available on the bank's website <https://www.bancatransilvania.ro/en/privacy-policy/> through which the bank fulfills its obligation to inform all the other categories of data subjects in regard to the processing of personal data within its banking activity.